

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARK ROGERS,

Petitioner,

vs.

RENEE BAKER, *et al.*,

Respondents.

3:02-cv-00342-GMN-VPC

**ORDER**

This is a capital habeas corpus action, initiated by Mark Rogers, a Nevada prisoner. The Ninth Circuit Court of Appeals remanded the case to this court for further consideration of claims made by Rogers with respect to the guilt phase of his trial, in light of potentially relevant cases decided while the case was on appeal. *See* Opinion of the Court of Appeals, July 16, 2015 (ECF No. 162), pp. 17-19. The court of appeals affirmed this court's grant of habeas corpus relief to Rogers regarding his death sentence. *See id.* at 1-16.

In an order entered August 25, 2015 (ECF No. 167), this court set a schedule for the parties to brief the issues to be considered on remand. In that regard, as a first step, Rogers was granted sixty days -- to October 26, 2015 -- to file and serve a brief setting forth his position with respect to each of the issues to be addressed on the remand of this case from the court of appeals.

On October 26, 2015, Rogers filed a motion for extension of time (ECF No. 168), requesting an extension of time to March 24, 2016, to file his brief on remand. Rogers' counsel state that the extension of time is necessary because of the complexity of the case, because of their responsibilities

1 in other cases, and because of staffing shortages at the office of the Federal Public Defender.  
2 Rogers' counsel informed respondents' counsel of the request for extension of time, and there  
3 appears to be no opposition. The court finds that Rogers' motion for extension of time is made in  
4 good faith and not solely for the purpose of delay, and there is good cause for the extension of time  
5 Rogers requests. The court will grant that extension of time.

6 However, given the length of the extension of time granted here, the court will not look  
7 favorably upon any motion to further extend this deadline.

8 **IT IS THEREFORE ORDERED** that petitioner shall have until and including  
9 **March 24, 2016**, to file and serve a brief setting forth his position with respect to each of the issues  
10 to be addressed on the remand of this case from the court of appeals, as described in the order  
11 entered August 25, 2015 (ECF No. 167).

12 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further  
13 proceedings in this case shall be governed by the order entered August 25, 2015 (ECF No. 167).

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15 Dated this 3rd day of November, 2015.

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19 UNITED STATES DISTRICT JUDGE  
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